

James J. Rufo, Esq.  
The Law Office of James J. Rufo  
*Proposed Attorney for Debtor*  
1133 Westchester Avenue, Suite N-202  
White Plains, NY 10604  
(914) 600-7161  
[jrufo@jamesrufolaw.com](mailto:jrufo@jamesrufolaw.com)

**HEARING DATE: JULY 6, 2022**  
**HEARING TIME: 2:00 P.M.**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

IN RE:

CHAPTER 11

CASABELLA CONTRACTING OF N.Y., INC.,

CASE No. 22-22205 (SHL)

DEBTOR

-----X

**NOTICE OF MOTION FOR AN ORDER HOLDING FRANK PIGNATARO AS  
RECEIVER IN CONTEMPT FOR VIOLATING THIS COURT’S ORDER, DATED  
MAY 4, 2022, SANCTIONING FRANK PIGNATARO AS RECEIVER, AND  
AWARDING TO DEBTOR ITS ATTORNEYS’ FEES, COSTS, AND  
DISBURSEMENTS PURSUANT TO RULES 9014 AND 9020 OF THE  
FEDERAL RULES OF BANKRUPTCY PROCEDURE AND 11 U.S.C. § 105(a)**

**PLEASE TAKE NOTICE**, that upon the annexed Motion of the debtor and debtor-in-possession Casabella Landscaping of N.Y., Inc. (the “Debtor”) by its proposed attorney James J. Rufo, Esq. of The Law Office of James J. Rufo, dated, June 10, 2022, Exhibits, Memorandum of Law, dated June 8, 2022 and Proposed Order, the undersigned will move this Court before the Hon. Sean H. Lane, U.S. Bankruptcy Judge, at the U.S. Bankruptcy Courthouse, 300 Quarropas Street, White Plains, NY 10601 on **JULY 6, 2022 at 2:00 P.M.** or as soon thereafter as counsel can be heard for an Order Holding Frank Pignataro as Receiver in Contempt of this Court’s Order, dated May 4, 2022, Sanctioning Frank Pignataro as Receiver, and Awarding to the Debtor its attorneys’ fees, costs, and disbursements pursuant to Rules 9014 and 9020 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 105(a), 362(a), 541, and 543; and impose daily sanctions in the amount \$500.00 per day in order to compel the Receiver’s compliance with the directives of the Court’s TRO, and sections 543 and 362(a) of the United States Bankruptcy

Code, and for such other and further relief as to the Court may seem just and proper.

**PLEASE TAKE FURTHER NOTICE**, that answering papers, if any, shall be served upon and received by counsel for the Debtor at the address indicated below and filed with the Court together with proof of service, no later than SEVEN (7) days prior to the return date hereof.

Dated: White Plains, New York  
June 10, 2022

Respectfully submitted,

By: /s/ James J. Rufo  
James J. Rufo, Esq.  
The Law Office of James J. Rufo  
*Proposed Attorney for the Debtor*  
1133 Westchester Avenue, Suite N-202  
White Plains, NY 10604  
(914) 600-7161  
[jrufo@jamesrufolaw.com](mailto:jrufo@jamesrufolaw.com)